THIS IS NOT A PAID ADVERTISEMENT

US Army Corps of Engineers
Philadelphia District

Public Notice

Public Notice No. CENAP-PL-E-05-03

Date 09 March 2005

Internet Homepage http://www.nap.usace.army.mil

In Reply Refer to: Environmental Resources Branch

NOTICE IS HEREBY GIVEN, that the Philadelphia District, U.S. Army Corps of Engineers in cooperation with the Pennsylvania Fish and Boat Commission, Pennsylvania Department of Conservation and Natural Resources and the Delaware River Basin Commission is conducting an operation technical study at F.E. Walter Reservoir. The Francis E. Walter Reservoir, originally known as Bear Creek Reservoir, is located near the convergence of Bear Creek and the Lehigh River in Luzerne and Carbon Counties in northeastern Pennsylvania (Figure 1). It is a man-made impoundment created by the U.S. Army Corps of Engineers in 1961 by damming the Lehigh River at the confluence with Bear Creek. The 3,000-foot long, 234-foot high earth-fill dam creates an 80-acre pool at the normal 1,300-foot elevation National Geodetic Vertical Datum (N.G.V.D.) and controls a drainage area of 288 square miles. The reservoir is approximately 86 miles north of Philadelphia, 20 miles southeast of Wilkes-Barre, 39 miles south of Scranton and 23 miles north of Allentown. The project area is part of the Pocono Mountain complex.

F.E. Walter, in addition to aiding in flood control along the Lehigh River, is operated for recreation and drought emergency water storage for salinity repulsion in the Delaware River Estuary. The primary purpose of the project is flood control. A secondary purpose is recreation. The F.E. Walter Reservoir was authorized in House Document No. 587, 79th Congress, 2nd Session for Lehigh River flood control protection. The reservoir project was also authorized for recreation as part of Public Law 100-676, Section 6, dated November 17, 1988.

F.E. Walter Reservoir plays a vital role in providing flood control and recreation in the Lehigh River watershed. In the recent past, public interest has grown in regard to modifying operations at F.E. Walter Reservoir to benefit in-lake and downstream recreation meanwhile maintaining flood control capabilities, and protection of the environment. Historically, pool level operations at F.E. Walter Reservoir have been tailored, in part, to allow a public access road that crosses the upstream side of the dam to re-open as soon as feasibly possible following a flood storage event. Due to the recent construction of a new access road across the top of the dam a physical restriction on pool operations has been removed. As a result, the opportunity to further evaluate and study the public recreational alternatives associated with the reservoir has emerged. The 2005 plan of operation includes raising the current operation base pool elevation from 1300’ N.G.V.D. to 1335’ N.G.V.D. beginning in mid-April 2005 and ending in September 2005 at which time the pool will be returned to the operation base pool elevation of 1300’.

During this period of time water quality, flow, and recreational data will be collected to evaluate the planned change. The data will be used to consider long-term reservoir operational plans that enhance public recreation.

The plan includes a temporary summer recreational pool elevation of 1335 feet with a pool fluctuation of no more then 5 feet, a minimum flow target downstream of 250 cubic feet per second (cfs), and additional recreational whitewater releases of 750 to 1000 cfs. Meeting the objectives of the plan is directly dependent on seasonal environmental conditions and normal reservoir operations, specifically flood control. The likelihood of the plan realistically meeting the aforementioned objectives was determined by simulating historic outflows from 1 May - 1st weekend in October (1961-2003) using the following parameters and guidelines:

- Begin after the 3rd Saturday in April so early trout season angling pressure would not be impacted in-lake and downstream.
- Store to 1335' by 1 May if possible depending on inflows.
- Keep lake elevations between 1330' and 1335' between 1 May and 30 June to protect newly inundated in-lake spawning areas.
- Maintain a minimum outflow target release of 250 cfs, as long as water is available (otherwise will match inflow above 50 cfs or 43 cfs if in drought) to protect/improve downstream aquatic resources.
- Whitewater recreational releases would be made every weekend in May and June when possible to augment whitewater rafting opportunities.
- Recreational outflows would be 750 to 1000 cfs from May to the 1st week in June and 750 cfs during the remainder of June.
- Recreational whitewater releases would be made on the 1st and 4th weekends in July and the 1st and 3rd weekends in August.
- Recreational outflow releases of 750 cfs would be made in July and August.
- Recreational whitewater releases would be made on the 1st and 3rd weekends in September and the first weekend in October.
- Recreational outflow releases of 750 to 1000 cfs would be made in September and October.

A Draft Environmental Assessment was prepared in accordance with the provisions of the National Environmental Policy Act of 1969, as amended. The EA assesses conditions at the project site and evaluates the potential impacts of the 2005 operational study plan on existing resources in the immediate and surrounding areas to include: physical, chemical, and biological characteristics of the aquatic and terrestrial ecosystem; endangered and threatened species; hazardous and toxic materials; aesthetics and recreation; cultural resources; and the general needs and welfare of the public. The Draft 2005 Operational Study EA incorporates, through reference, environmental data collected for the project area for the 2002 F.E. Walter Emergency Drought Storage Environmental Assessment. The U.S. Army Corps of Engineers and its partners will continue to pursue additional studies and data collection efforts to evaluate the 2005 study and to refine potential future plan modifications.

A range of pool level and minimum low flow target alternatives were evaluated based on potential negative and positive impacts on flood control, recreation and the environment in

general. Historic flow and operational records (1961-2003), in-lake and river water quality data (1975-2003), expected recreational use, and known environmental resources in the project area were evaluated against the alternatives. A conservative operational study plan, described previously, was selected as the least likely to cause negative environmental impacts in-lake and downstream on the Lehigh River and would likely not impact the flood control capabilities of the reservoir. This plan is expected to benefit in-lake and downstream recreation meanwhile protecting and potentially enhancing the natural environment. Coordination between project partners and the public will continue through and after the study period. Data collected during the study will be used by the Corps and its partners to evaluate the degree of success in meeting the objectives of the study plan and for identification of any environmental impacts not previously expected. This information will be used to more fully consider future alternative plans in a subsequent environmental assessment.

All practicable means to avoid or minimize adverse environmental effects have been incorporated into the selected plan. Coordination with resource agencies conducted for the 2002 F.E. Walter Emergency Drought Storage Environmental Assessment was utilized for this Environmental Assessment. That project was coordinated with the Delaware River Basin Commission, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency Region 3, Pennsylvania Department of Environmental Protection, Pennsylvania Historical and Museum Commission, Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission, and Pennsylvania Department of Conservation and Natural Resources. The 2005 F.E. Walter study plan was developed through coordination with the Pennsylvania Fish and Boat Commission, Pennsylvania Department of Conservation and Natural Resources and Delaware River Basin Commission. The 2005 plan was presented to the public at a public information workshop on 24 February 2005 at the Split Rock Lodge located in Carbon County, Pennsylvania. This forum allowed attendees to directly question project partners and comment on the proposed plan. In addition, the public is being afforded the opportunity to comment on the 2005 plan and future plans by submitting written comments directly to the Philadelphia District Corps or by providing their comments via the project website at www.nap.usace.army.mil/Projects/FEWalter/index.htm.

The Draft Environmental Assessment has shown that the proposed activity is not likely to jeopardize the continued existence of any species or the critical habitat of any fish, wildlife or plant, which is designated as endangered or threatened pursuant to Section 7 of the Endangered Species Act, as amended.

Work in waters of the United States, including wetlands, must be in compliance with Section 404 of the Clean Water Act. No work will be performed within the waters of the United States. Therefore, a review of impacts associated with the potential discharge of fill material has not been performed as per Section 404 (b)(1) of the Clean Water Act. The requirements of Executive Order 11990, Protection of Wetlands, are therefore met.

The Commonwealth of Pennsylvania requires a 401 State water quality certification for any work, which may affect water or waterways in the state. This project entails an operational management change at F.E. Walter Reservoir and does not require any physical instream or riparian work. As a result, a water quality certificate from the Commonwealth is not required.

In accordance with guidelines established under Section 106 of the National Historic Preservation Act of 1966, as amended, the Pennsylvania Historical and Museum Commission determined that the proposed plan would have no effect on archaeological sites or historic structures.

The decision whether to accomplish the work proposed in this public notice is based on an evaluation of the probable impact of the proposed work on the public interest. The decision will reflect the national concern for the protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonable foreseeable detriments. All factors, which may be relevant to the proposal, will be considered. Among those are conservation, aesthetics, fish and wildlife, general environmental concerns, economics, historic values, navigation, energy needs, recreation, safety, water quality, food production, and in general, the needs and welfare of the people.

The public and all agencies are invited to comment on this proposal. Copies of the Draft Environmental Assessment are available upon request by calling (215) 656-6561. The public notice, Draft 2005 Temporary Operations Study Environmental Assessment, and the Final 2002 F.E. Walter Emergency Drought Storage Environmental Assessment are available for review on the Philadelphia District web page at www.nap.usace.army.mil and the project web site at www.nap.usace.army.mil/Projects/FEWalter/index.htm.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice **(09 March through 09 April)** that a public hearing be held to consider this proposal. Requests for a public hearing shall state, in detail, the reasons for holding a public hearing.

All comments on the work described in this public notice and/or in the Draft Environmental Assessment should be directed to Mr. Minas Arabatzis, Chief, Planning Division, ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390 by **09 April 2005**.

Minas Arabatzis
Chief, Planning Division
Philadelphia District
U.S. Army Corps of Engineer

U.S. ARMY CORPS OF ENGINEERS
PHILADELPHIA DISTRICT
WANAMAKER BUILDING
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3390